

Message Text

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ACTION L-02

INFO OCT-01 ARA-06 ISO-00 SSO-00 INRE-00 CIAE-00 INR-07

NSAE-00 JUSE-00 SEC-01 SS-15 SCA-01 EUR-12 /045 W

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 172

C O N F I D E N T I A L SAN JOSE 1923

E.O. 11652: XGDS-1

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO CASE -- EXTRADITION LAW

REF: STATE 110168

1. I INTEND TO RAISE THE MATTER OF GOCR CONSULTATION AT
ALREADY ARRANGED APPOINTMENT WITH PRESIDENT AT 3:30 P.M.
TODAY (LOCAL TIME) ALONG LINES PARA 4 REFTEL.

2. THE CURRENT STATUS OF THE PENDING EXTRADITION BILLS
IN THE ASSEMBLY SUGGESTS THAT UNLESS A DISPENSA DE TRAMITES
IS INTRODUCED AND IS VOTED FAVORABLY BY TWO-THIRDS OF THE
PLENARY, THESE TWO BILLS (ONE TO AMEND AND ONE TO REPEAL
EXISTING LAW) WILL NOT BE DEBATED UNTIL SUPETEMBER OR LATER.
THIS IS SIMPLY BECAUSE THE REPORTS ON THE BILLS DURING THE
LAST SESSION WERE AMONG THE LAST TO EMERGE FROM COMMITTEE.
REPORTED BILLS ARE PLACED ON THE NEW SESSION'S AGENDA IN
CHRONOLOGICAL ORDER ACCORDING TO THE DATES THEY ARE REPORTED
OUT OF COMMITTEE. ALTHOUGH THE ASSEMBLY OFFICIALLY OPENED
THIS ORDINARY SESSION ON MAY 5 (NOT MAY 15), A DETAILED
AGENDA IS NOT AVAILABLE AS YET.

3. IN ANSWER TO QUESTIONS IN 3(A) REFTEL, WE BELIEVE THAT
THE GOCR COULD AND PROBABLY WOULD USE THE EXCUSE THAT IT
IS PREPARING ANOTHER REVISION TO FOIL ANY DISPENSA DE
TRAMITES MOTION THAT WOULD PERMIT IMMEDIATE DEBATE ON THE
EXTRADITION BILLS. THE PLN DEPUTIES AND THE GOCR WOULD BE
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EMBARRASSED IF FORCED TO VOTE AGAINST A DISPENSA DE TRAMITES

UNLESS SUCH A PERSUASIVE ARGUMENT FOR SO DOING COULD BE SHOWN. PREPARATION OF A NEW VERSION WOULD BE A NATURAL REASON AND WOULD BE USED PUBLICLY TO DEFLECT THE POLITICAL HEAT. IT IS NOT LIKELY THAT ODUBER WOULD PUBLICLY USE CONSULTATIONS WITH THE USG AS A RATIONALE FOR OPPOSING A DISPENSA DE TRAMITES MOTION. HOWEVER, THERE IS ALWAYS A CHANCE THAT ODUBER WOULD USE THIS PRIVATELY WITH THE OPPOSITION DEPUTIES.

4. WE THEREFORE SEE ADVANTAGES IN TAKING UP ODUBER ON HIS SUGGESTION THAT HIS MAN COME TO THE U.S. AS SOON AS POSSIBLE. IF HE ACTS WITH REASONABLE SPEED ON THE CONSULTATION, THERE IS AMPLE TIME BEFORE THE ASSEMBLY IS LIKELY TO CONSIDER ANY EXTRADITION BILLS. IF A DISPENSA DE TRAMITES IS PROPOSED WITHIN THE NEXT WEEK OR SO, AND ODUBER HAS MEANWHILE CONVEYED HIS INTENTION TO SUBMIT HIS OWN REVISION, THE PLN FRACTION WOULD LIKELY VOTE AGAINST THE DISPENSA MOTION. THE ADDITIONAL FACT OF CONSULTATIONS WITH US, AS NOTED ABOVE, WOULD NOT LIKELY BE THE KEY ODUBER RATIONALE.

5. IN SUM, I CONCLUDE IT IS BEST TO GO AHEAD AND ACCEPT ODUBER'S OFFER NOW BASED ON OUR CURRENT UNDERSTANDING OF THE EXTRADITION BILLS' STATUS. (SEE PARAGRAPH ONE ABOVE.)

6. WE DO NOT REPEAT NOT BELIEVE PURSUIT OF NEW TREATY IS LIKELY TO BE FASTEST MEANS OF OVERCOMING OBSTACLES. RATHER, EXISTING OBSTACLES WOULD ALMOST CERTAINLY CLUTTER UP TREATY NEGOTIATIONS AND INDEFINITELY DELAY RESOLUTION OF VESCO CASE.

7. I WILL COMMENT FURTHER ON PARA 3(C) REFTTEL AFTER TALKING TO ODUBER.
TODMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, LAW, LEGISLATIVE BILLS, EXTRADITION AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 13 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975SANJO01923
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Film Number: D750168-0040
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750557/aaaabzmp.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 STATE 110168
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 08 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 SEP 2003 by CunninFX>; APPROVED <13 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: VESCO CASE -- EXTRADITION LAW
TAGS: PFOR, PGOV, CS, US, (VESCO, ROBERT)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006